

SEP 4 2009

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	BANKRUPTCY CASE
)	
BRIAN THOMAS CROOKS)	NO. 09-69160
BETH HAYNES)	
)	
Debtor)	

)	
BAC HOME LOANS SERVICING, L.P.)	
FKA COUNTRYWIDE HOME LOANS)	
SERVICING, L.P.)	
)	CHAPTER 13
Movant)	
)	
vs.)	
)	
BRIAN THOMAS CROOKS)	JUDGE: ROBERT BRIZENDINE
BETH HAYNES)	
ADAM M. GOODMAN, Trustee)	
)	
Respondents)	

ORDER GRANTING MOTION FOR RELIEF FROM STAY

The above styled Motion having been called before the Court for a hearing on August 27, 2009, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest, and it appearing that there was no opposition to the Motion and that the parties were properly served;

IT IS HEREBY ORDERED that the 11 USC §362(a) automatic stay is lifted as to Movant herein, its successors and assigns, regarding the real property commonly known as 90 Fairlie Street, Unit 203, Atlanta, Georgia.

FURTHER ORDERED that Movant, its successors and assigns, may assert its rights, including, but not limited to, the institution and completion of foreclosure proceedings, reasonable fees and may assert any and all of its respective rights and remedies under applicable law, as to its collateral.

FURTHER ORDERED that the Trustee shall cease funding the balance of Movant's pre-petition arrearage claim and supplemental claim, if any.

FURTHER ORDERED that upon the completion of any foreclosure sale, any funds in excess of the due to Movant under its Note and Security Deed, and to any subordinate lienholder(s) properly entitled to receive proceeds under applicable State Law shall be paid to the Trustee for the benefit of the Estate.

SO ORDERED this 3rd day of Sept, 2009.



ROBERT BRIZENDINE
UNITED STATES BANKRUPTCY JUDGE

PREPARED AND PRESENTED BY:

 MICHELLE HART, GEORGIA BAR No. 334291

MARIA TSAGARIS, BAR NO. 143071
Attorney for Movant
McCalla Raymer, LLC
1544 Old Alabama Road
Roswell, Georgia 30076-2102
(770) 643-2148
(800) 275-7171

NO OPPOSITION:

 8/8/09

Adam M. Goodman, Bar No. 300887

Chapter 13 Trustee

Suite 200

260 Peachtree Street

Atlanta, GA 30303

678-510-1444

DISTRIBUTION LIST

Brian Thomas Crooks
90 Fairlie Street
Unit 203
Atlanta, GA 30303

Beth Haynes
90 Fairlie Street
Unit 203
Atlanta, GA 30383

Anthony B. Sandberg, Esquire
The Sandberg Law Firm
International Tower - Suite 705
229 Peachtree Street, North East
Atlanta, GA 30303

Adam M. Goodman, Trustee
Suite 200
260 Peachtree Street
Atlanta, GA 30303